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Hearing Date: January 18, 2023
Hearing Time: 10:00 a.m. (EST)
Objections Due: December 16, 2022

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

151797 CANADA INC.,

Defendant.

Adv. Pro. No. 10-04631 (CGM)

**CERTIFICATE OF NO OBJECTION TO TRUSTEE'S
MOTION FOR SUMMARY JUDGMENT**

Irving H. Picard, trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq., and the chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On November 18, 2022, the Trustee filed his motion for summary judgment (the “Motion”) in the above-referenced adversary proceeding (ECF Nos. 55–61).

2. Notice of the Motion was timely provided to defendant in the adversary proceeding and all parties that filed a notice of appearance in this case, pursuant to the Order Establishing Notice Procedures (Adv. Pro. No. 08-01789 (CGM) (Bankr. S.D.N.Y. Dec. 5, 2011), ECF No. 4560).

3. On November 30, 2022, the Court so-ordered a Stipulation and Order to Extend Response Deadline and Adjourn Argument Date (ECF No. 63).

4. The deadline to file an objection to the Motion expired on December 16, 2022.

5. On December 16, 2022, defendant’s counsel advised counsel for the Trustee that defendant does not intend to oppose the Motion.

6. Counsel has reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, or responsive pleading with respect to the Motion appears thereon.

7. An electronic copy of a proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court along with this certificate.

8. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

Dated: January 5, 2023
New York, New York

/s/ Nicholas J. Cremona

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